

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CARL D. EDWARDS,

Plaintiff,

v.

CLARK COUNTY,

Defendant.

Case No. 2:13-cv-01530-JAD-PAL

ORDER AND REPORT OF FINDINGS
AND RECOMMENDATION

This matter is before the court on Plaintiff Carl D. Edwards failure to comply with the court's Order (Dkt. #5). Plaintiff is a prisoner proceeding in this case pro se and in forma pauperis.

On March 19, 2014, the court entered an Order (Dkt. #5) granting Plaintiff's Application to Proceed in Forma Pauperis (Dkt. #1). The court then screened Plaintiff's Complaint (Dkt. #6) and found the Complaint did not state a claim upon which relief could be granted. The court directed that Plaintiff's Complaint be filed and dismissed with leave to amend. Plaintiff was given leave to amend his Complaint on or before April 18, 2014. Plaintiff was "expressly cautioned that if he does not timely file an amended complaint in compliance with this order, this case may be immediately dismissed." Order at 6:9-10. Plaintiff has not filed an amended complaint or requested additional time in which to do so.

Accordingly,

IT IS RECOMMENDED that Plaintiff's Complaint be DISMISSED.

IT IS FURTHER ORDERED:


1. Pursuant to 28 U.S.C. § 1915(b)(2), Plaintiff shall pay to the Clerk of the United States District Court, District of Nevada, twenty percent of preceding month's

1 deposits to Plaintiff's account (in the months that the account exceeds \$10.00) until
2 the full \$350 filing fee has been paid for this action.

3 2. The Clerk of the Court shall send a copy of this Order to the Finance Division of the
4 Clerk's Office.

5 3. The Clerk shall also send a copy of this Order to the attention of the inmate accounts
6 department at High Desert State Prison, P.O. Box 650, Indian Springs, Nevada,
7 89070-0650, and the Chief of Inmate Services for the Nevada Department of
8 Corrections, P.O. Box 7011, Carson City, Nevada, 89702.

9 DATED THIS 19th day of May, 2014.

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12 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE

13 **NOTICE**

14 These findings and recommendations are submitted to the United States District Judge
15 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
16 after being served with these findings and recommendations, any party may file written
17 objections with the court. Pursuant to Local Rule of Practice IB 3-2(a), any party wishing to
18 object to the findings and recommendations of a magistrate judge shall file and serve *specific*
19 *written objections* together with points and authorities in support of those objections, within
20 fourteen days of the date of service of the findings and recommendations. The document should
21 be captioned "Objections to Magistrate Judge's Findings and Recommendations." The parties
22 are advised that failure to file objections within the specified time may waive the right to appeal
23 the District Court's Order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991). The points and
24 authorities filed in support of the specific written objections are subject to the page limitations
25 found in LR 7-4.

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